

1 recall whether he was involved in any other conversations  
2 beyond that.

3 Q But he wasn't a leader of the meeting or anything  
4 like that?

5 A No, no. It was Allan Kane's meeting.

6 Q All right. Mr. Dolphin's not a felon, is he?

7 A Not that I'm aware of.

8 Q You're not aware that he's ever committed a  
9 felony?

10 A I have no knowledge of him committing a felony.

11 Q All right. Now Mr. Sharifan -- changing gears  
12 again.

13 A Okay.

14 Q Mr. Sharifan was a partner in Alee at one point,  
15 right?

16 A His name was on the initial application and he was  
17 substituted, as I understand it, with Mr. Riahi shortly  
18 thereafter once it was determined that he was an alien.

19 Q But he was originally a partner in Alee Cellular  
20 Company -- Cellular Communications, I'm sorry?

21 A I don't know whether you could definitely say he  
22 was a partner or not. If you're talking about the time  
23 period from when the partnership was first created until we  
24 had our first meeting I don't know specifically that he was  
25 or he wasn't. I would imagine -- in fact, I don't want to

1     imagine. Okay. I don't have specifics that he was or he  
2     wasn't.

3           Q     Well, I mean did he sign a partnership agreement  
4     saying that he was a partner in Alee?

5           A     I believe your documents reflect that, yes.

6           Q     Okay. And is it your understanding of what the  
7     Commission found in the Algereq case that he was, in fact, a  
8     partner at least for some length of time?

9           A     Pardon me?

10          Q     Is it your understanding that the Commission found  
11     in the Algereq case that Mr. Sharifan was a partner for some  
12     length of time, at least?

13          A     I don't remember that aspect of the Algereq  
14     decision.

15          Q     Okay. Well, let me ask you was it your  
16     understanding that the alien partner issue involved somebody  
17     who was a partner of Alee?

18          A     My understanding was that Mr. Sharifan had  
19     acquired and wanted to be a partner in Alee and --

20          Q     And he paid a capital contribution?

21          A     -- he paid a capital contribution, okay, based  
22     upon the documentation that I see here and he was replaced  
23     very *shortly* after he, in turn, acquired his interest by Mr.  
24     Riahi.

25                   JUDGE STEINBERG: Wasn't there a form to be filled

1 out, also?

2 THE WITNESS: Yeah.

3 MR. EVANS: Yeah.

4 JUDGE STEINBERG: Can I see that in here?

5 MR. EVANS: Yes.

6 BY MR. EVANS:

7 Q There's tons of forms and I'm just surprised --  
8 are you saying that you don't know whether Mr. Sharifan was  
9 a partner in Alee?

10 A Based upon the documents that you have here it  
11 appears that he completed all of the documents and if he was  
12 a partner he would have been a partner from the time the  
13 documents were completed and the funds received until the  
14 date of replacement.

15 JUDGE STEINBERG: Which document are you referring  
16 to?

17 MR. EVANS: I am in Exhibit --

18 JUDGE STEINBERG: Look at the tab.

19 MR. EVANS: -- I am in Exhibit 24.

20 JUDGE STEINBERG: Your Exhibit 24? Why don't we  
21 identify that and get that out of the way? It's titled  
22 "General Partner Signature Page for Agreement of  
23 Partnership" and then there's additional material and I have  
24 12 pages and it will be identified as Enforcement Bureau  
25 Exhibit 24.

1 (The document referred to was  
2 marked for identification as  
3 Enforcement Bureau's Exhibit  
4 No. 24.)

5 BY MR. EVANS:

6 Q All right. Mr. Jones, are you looking at the  
7 document the Judge has identified?

8 A Yes.

9 Q Based on that would you say that Mr. Sharifan was  
10 a partner in Alee?

11 A It would appear that he was a partner from the  
12 date that he, in turn, contributed his funds until the date  
13 he was replaced.

14 Q Okay. Let me ask you to turn back to the --

15 MS. LANCASTER: May I interrupt for one second,  
16 Your Honor? As I'm looking at this it appears that there  
17 are some pages that are erroneously put in this particular  
18 exhibit that don't belong, one says, "Exhibit A" and my copy  
19 has "Exhibit A" and "Exhibit B" and both do not go with this  
20 those go with the partnership agreement. May we omit those  
21 from --

22 JUDGE STEINBERG: Well, let's just -- let's go off  
23 the record and take care of this and this is housekeeping.  
24 Well, why don't we take care of this later?

25 MS. LANCASTER: Okay

1 JUDGE STEINBERG: And then let Mr. Evans continue.  
2 But we have to reform No. 24, right?

3 MS. LANCASTER: Yes, sir.

4 BY MR. EVANS:

5 Q Okay. Well, let me direct your attention back to  
6 Bureau Exhibit 23, which is the partnership agreement. I'd  
7 like to --

8 A Mm-hmm.

9 Q -- and specifically to paragraph 14. Now before  
10 you look at that let me just ask you a question. When Mr.  
11 Bunis went to sell his partnership interest didn't he have  
12 to offer it to the other partners first?

13 A Yes, sir.

14 Q Isn't that generally the procedure that the  
15 partnership agreement calls for?

16 A That is what the disagreements section, paragraph  
17 14, refers to.

18 Q Okay. And if you want to look at it go ahead and  
19 look at it.

20 A Okay.

21 Q Did Mr. Sharifan comply with these procedures when  
22 his partnership interest was transferred?

23 A I have no idea. I was not involved in the  
24 partnership at that time.

25 Q Okay. Well, you were a partner in the

1 partnership, weren't you?

2 A I was a partner in the partnership that was  
3 created by Altell, handled by their agent, Allan Kane, okay.

4 Q Did you mean to say Altell?

5 A Not Altell --

6 Q TCC?

7 A -- TCC, excuse me. Thank you for correcting me.  
8 Created by TCC, handled by the agent of Allan Kane, the  
9 partnership was in the process of being formed during this  
10 time period and did not have any meeting or any activity  
11 prior to the date of the first meeting with Allan Kane.

12 Q Okay. Well, let me just ask you what you knew.  
13 Did somebody approach you or send you a document saying,  
14 "You are, hereby, being offered a share of a partnership  
15 interest that's being transferred?"

16 A No.

17 Q Do you know whether anybody else in the  
18 partnership was offered that?

19 A I don't know.

20 Q Well, when you were told about the alien partner  
21 issue being taken care of did it occur to you that you  
22 actually had a right to acquire that partnership interest?

23 A No, I did not.

24 Q Were you concerned that the other partners had not  
25 been -- that the partnership agreement terms were not being

1 complied with?

2 A At that time I hadn't been as familiar with the  
3 partnership agreement as I am today.

4 Q So you weren't concerned about that?

5 A At that point I was not concerned. I did not have  
6 knowledge of the partnership agreement as I have today.

7 Q Okay. But it's your understanding that Mr.  
8 Sharifan's interest was, in fact, offered to another person,  
9 Mr. Riahi, who acquired that partnership interest?

10 A My understanding is that Mr. Sharifan was replaced  
11 by Mr. Riahi because Mr. Sharifan was an alien and had to be  
12 replaced by a citizen.

13 Q Okay. Although you didn't know who the alien was  
14 in 1988?

15 A I didn't know who Sharifan was nor who Riahi was.

16 Q Okay. In looking back at the documents that are  
17 in your Exhibit 24 --

18 JUDGE STEINBERG: Well, then maybe we ought to  
19 reform it if we're going to refer the witness to it.

20 MR. EVANS: Okay.

21 JUDGE STEINBERG: Let's go off the record and do  
22 that.

23 Off the record at 2:07 p.m.)

24 (On the record at 2:14 p.m.)

25 JUDGE STEINBERG: While we were off the record we

1 reformed the Bureau Exhibit 24 and, hopefully, everybody's  
2 got the same pages in the same order and Exhibit 24 is now a  
3 nine page document.

4 Mr. Evans?

5 BY MR. EVANS:

6 Q All right. Mr. Jones, looking at Exhibit 24 I'd  
7 like you to turn to the page which is I guess the last page.

8 A Page nine?

9 Q Yes. It's dated September 15, 1998 and it bears  
10 the signature of Mr. Sharifan.

11 JUDGE STEINBERG: That's the one with his vote

12 MR. EVANS: Right.

13 BY MR. EVANS:

14 Q The one that says, "Vote " At least as of  
15 September '88 Mr. Shar fan was act ng like a partner, wasn't  
16 he?

17 A Yes, he was.

18 Q Okay. Do you have any reason to doubt at this  
19 point that he was a partner?

20 A I can't honestly say. I'm not an attorney.  
21 Whether this constitutes him being a partner or not I can't  
22 say. He paid his money, he was replaced. He may have been  
23 a partner- for a short period of time.

24 Q Okay. Well, turning to page seven of that  
25 exhibit, Exhibit 24, can you explain -- it's a memo to Alee



Cellular Communications from Allan Kane. Can you explain why Mr. Sharifan was signing that on January 3, 1990?

A I have no idea. I have no idea why he was getting correspondence. This is one of the reasons why we replaced Allan Kane.

Q So as far as you know then that was a mistake?

A I don't know what it was for.

Q Had Mr. Sharifan been coming to partnership meetings prior to January 3rd of 1990?

A I don't know. However, I believe I saw one partnership minutes that reflected his name.

Q Was that the very first meeting or a subsequent --

A I don't recall. But I do recall it was before I became aware that he was the alien.

Q Okay. Well, let me direct your attention to page eight of your testimony --

A Mm-hmm.

Q -- Alee Exhibit 1. Now on line of two of that page you say, "In January of 1990 the Executive Committee took control of the partnership."

A It would have been sometime in January, I believe it's January 19th the date of the partnership meeting but I'm not specifically sure.

JUDGE STEINBERG: That's my birthday. Tell them you can send a card.

1 THE WITNESS: I'll mark that down.

2 JUDGE STEINBERG: You know, I'm sure there won't  
3 be a decision out by my next birthday so I can still be  
4 sucked up to.

5 BY MR. EVANS:

6 Q Well, my question wasn't so much the date, my  
7 question was when you say the Executive Committee **took**  
8 control of the partnership weren't you in control of the  
9 partnership before?

10 A Not in the management capacity that we moved into  
11 effective the January partnership meeting.

12 Q Well, you were on the Executive Committee starting  
13 in 1988 and Mr. Bernstein was on the Executive Committee --

14 A Correct.

15 Q -- and somebody else, I guess Mr. Clark, was on  
16 the Executive Committee at least for some period of time  
17 from '88 to '90.

18 A Mm-hmm.

19 Q Wasn't that Executive Committee in charge of the  
20 partnership?

21 A At that time the manager of the partnership was  
22 handling a lot of the work and gathering the information and  
23 reporting to the Executive Committee.

24 Q So you were supervising Mr. Kane's work, right?

25 A We were attempting to, yes.

Q Well, when you say you were attempting to you were  
2 -- were you succeeding in doing it?

3 A Once again, it's another one of the reasons why  
4 Mr. Kane was let go.

5 Q Well, do you feel that you as an Executive  
6 Committee discharged the responsibilities in supervising Mr.  
7 Kane?

8 A Had I discharged my responsibilities?

9 Q Yes.

10 A Well, I attempted to work with Mr. Kane  
11 unsuccessfully. The communication that we should have been  
12 receiving we were not receiving.

13 Q Well, I guess what I'm trying to understand is the  
14 same Executive Committee was in charge in December of 1988  
15 as in January of 1999. What was the change that caused you  
16 to gain control of the partnership in '90 when you weren't  
17 in 1988?

18 A We terminated Kane and we took on all of those  
19 responsibilities directly at the executive level.

20 Q Okay. So you eliminated the person who was  
21 managing partnership affairs?

22 A Correct.

23 Q okay. And was it at that January 19th meeting or  
24 shortly thereafter that you terminated Mr. Franklin?

25 A It was at that meeting. I believe it was that

1 meeting. I haven't read the partnership minutes to that,  
2 but I believe it was at that meeting that we, in turn, hired  
3 Hopkins & Sutter and I'm not sure when Franklin was  
4 terminated, possibly earlier.

5 Q Earlier than January?

6 A I don't recall.

7 Q All right. In your testimony it says that in  
8 January 1990 you took control of the partnership, dismissed  
9 Allan Kane, terminated the relationship with Franklin.

10 A And they all happened at around that time. In  
11 what order I don't know.

12 Q Okay. But --

13 (Multiple voices.)

14 A Okay.

15 Q -- approximately January?

16 A Approximately that time.

17 Q Okay.

18 A Everything would have happened. I don't know the  
19 specific date that Mr. Franklin was terminated. I know at  
20 that date we terminated Mr. Kane directly and the Executive  
21 Committee then took over the management of the partnership.

22 Q Did anybody at the January 1990 partnership  
23 meeting suggest that maybe the Executive Committee hadn't  
24 been doing such a great job?

25 A No.

1           Q     Did the partners feel that you all, the Executive  
2     Committee, had been doing a good job?

3           A     They felt we were attempting to do a good job and  
4     they gave us their vote of confidence to go forward.

5           JUDGE STEINBERG: That's your understanding of the

6     --

7           THE WITNESS: That's -- well --

8                 (Multiple voices.)

9           JUDGE STEINBERG: -- partners because I mean you  
10    can't crawl into each of their minds --

11          THE WITNESS: I can't --

12          JUDGE STEINBERG: -- to know what they were  
13    thinking.

14          THE WITNESS: That would be correct but I think  
15    that they gave us at that meeting their vote of confidence  
16    to move forward.

17          JUDGE STEINBERG: Okay.

18          THE WITNESS: Okay.

19          BY MR. EVANS:

20          Q     All right. Let's turn back to a document that we  
21    were looking at yesterday and that's Enforcement Bureau  
22    Exhibit 26.

23          A     26?

24          Q     Yes.

25          JUDGE STEINBERG: And that's -- they have it on

1 the table so it's not in the binders. It looks like this.

2 THE WITNESS: Okay.

3 JUDGE STEINBERG: The witness has *it*.

4 MR. EVANS: Okay.

5 BY MR. EVANS:

6 Q And do you remember what that is, Mr. Jones?

7 A This was our application to renew the license.

8 Q Okay. And this was signed by you electronically?

9 A Electronically signed by me, yes.

10 Q Okay. When you say that something was signed  
11 electronically did you review the application before it was  
12 actually submitted to the FCC?

13 A I recall receiving a copy of this, a faxed copy --

14 Q Before?

15 A -- before it was submitted, yes.

16 Q And you reviewed it as being accurate?

17 A Yes. It was submitted to me by our attorneys for  
18 review.

19 Q Okay. And did you say it was accurate and  
20 complete and that they could go ahead and file it?

21 A As best I could tell, yes.

22 Q Okay. Now when you reviewed it were the  
23 attachments to the application there? By that I'm referring  
24 you to the October 10 letter, the October 12 letter and the  
25 November 20th letter?

1           A     I don't recall. I believe I received the -- I  
2     don't recall whether I got everything all in one package or  
3     not.

4           Q     Okay. Well, let me ask you this. Did you have  
5     contact with Mr. Bankson regarding the filing of the two  
6     letters, the October 10th and the October 12th letters?

7           A     I had discussions with Mr. Bankson over the phone  
8     and he explained the one question on the form needed to have  
9     further explanation and, therefore, he was sending a letter  
10    accordingly directly to the Commission --

11          Q     Okay.

12          A     -- for further explanation.

13          Q     Was this discussion before the original  
14    application was filed electronically or after?

15          A     I believe it was before it was filed.

16          Q     Okay. Do you know why Mr. Bankson didn't just  
17    include the information in the application initially?

18          A     I was of the understanding that it's an electronic  
19    filing so, therefore, there wasn't any way to attach  
20    anything on an electronically filing.

21          Q     Okay. So before the application was filed it was  
22    your understanding based on your discussions with Mr.  
23    Bankson that the *Commission* needed some more information  
24    about the status of Alee's --

25          A     Yes.

Q -- revocation proceeding?

2 A Yes.

3 Q Okay. Now that information was not in the  
4 application as initially filed, right?

5 A It was filed electronically and my understanding  
6 was that there was no way to include that with the  
7 electronic filing.

8 Q Okay. Was it your understanding that it was going  
9 to be submitted simultaneously in some other form?

10 A I was informed that he was sending a letter  
11 explaining it in more detail.

12 Q Simultaneously with the electronic filing?

13 A I don't recall.

14 Q Well, if you look at the front page of the exhibit  
15 it indicates in the top right-hand corner that it was  
16 submitted on September 8, 2000 and we see that Mr. Bankson's  
17 letters are dated October 10th and October 12th, more than a  
18 month later. Do you have any idea why there was a 30 day  
19 delay in submitting those?

20 A I don't know.

21 JUDGE STEINBERG: Well, can I just point something  
22 out, too? I don't kind of understand this, the electronic  
23 filing stuff, but on page three of the exhibit we have an  
24 attachment list and the attachment list refers to the  
25 October 10th, October 12th, November 30th other stuff and



1     how do you submit something on September 8th electronically  
2     that refers to letters you're sending in the future or  
3     letters that are stamped into the future?

4             Now I know there was an attempt to have Ms.  
5     Rasmussen explain this to me and I cut it off but if this  
6     becomes important then somebody's going to have to explain  
7     it to me on the record. If it's not important then I don't  
8     care about it.

9             MR. EVANS: Well -

10            JUDGE STEINBERG: I mean right now what we have is  
11     we have question 45 unanswered. I think it's -- regardless  
12     of whether there are checkmarks in any other boxes I don't  
13     think there's a dispute that question 45 was not answered,  
14     is that correct, Mr. Hill?

15            MR. HILL: I do not disagree with your  
16     observation.

17            JUDGE STEINBERG: Okay. **And** then we have the two  
18     letters, the October 10th letter and the October 12th  
19     letter, explaining it. So --

20            MR. EVANS: Well, I can explain the source of this  
21     document since I was the one that provided it to the Bureau.  
22     This was downloaded from the Commission's universal  
23     licensing system database. What they'll do is when  
24     amendments occur to an application those become part of the  
25     electronic application. So that --

1 JUDGE STEINBERG: So that somebody from the  
2 Commission will associate -- I mean this is not evidence.  
3 This is just --

4 MR. EVANS: The background.

5 JUDGE STEINBERG: Background, okay. That somebody  
6 -- when a letter comes in like the October 10th letter and  
7 it's got a file number on it somebody will go to that file  
8 number and just add something to the attachment list so that  
9 when the electronic filing was made either it's stopped  
10 below the signature block or the attachment list was empty

11 MR. EVANS: Right.

12 JUDGE STEINBERG: Okay. Will everybody agree to  
13 that on a background basis?

14 MR. EVANS: Yes.

15 MS. LANCASTER: Yes.

16 MR. HILL: Yes.

17 JUDGE STEINBERG: So that just to un-confuse me?

18 MR. EVANS: Yes.

19 JUDGE STEINBERG: And if it becomes necessary to  
20 make this part of the record can you all agree to stipulate  
21 at some point in time in the future to what we just said? I  
22 mean subject to working it out among yourselves?

23 MR. EVANS: Yeah. I mean that's the way the  
24 process worked.

25 JUDGE STEINBERG: Okay. Thank you.

1 BY MR. EVANS:

2 Q So just to go back to where we were before, do you  
3 know why Mr. Bankson didn't submit his letter until October  
4 10th and 12th?

5 A I do not, sir.

6 Q Do you know, by the way, why he submitted it  
7 twice? I mean that it's basically the same substance except  
8 that the file number is filled in differently on the October  
9 12th letter?

10 A I don't know why, sir.

11 Q Do you know whether the October 10th letter was  
12 rejected or something by the Commission or the Commission  
13 couldn't find it because it didn't have the right file  
14 number?

15 A I don't know.

16 Q You don't know. Okay. Now what was it that you  
17 and Mr. Bankson agreed needed to be told to the Commission  
18 to supplement what wasn't in the application in the  
19 electronic form?

20 A Mr. Bankson explained to me that one of the  
21 questions on the form was the electronic form was not set up  
22 so that further explanation was necessary to occur in  
23 additional correspondence.

24 Q And that's further explanation of what?

25 A Of our status.

1 Q And your status at that time was what?

2 A I --

3 Q Well, your license had been revoked as of  
4 September of 2000 and it was on appeal, is that right?

5 A Yes.

6 Q Okay. Did Mr. Bankson feel that it was important  
7 for the FCC to know that your license had been revoked in  
8 connection with your renewal application?

9 A My understanding was that's what the purpose of  
10 this letter was for.

11 Q And did you feel that it was important that the  
12 Commission know that your license had been revoked?

13 A I was going by what my attorney at the time  
14 suggested or, suggested -- told me that it was necessary to  
15 provide additional explanation and that's why he prepared an  
16 additional letter because the form itself was insufficient  
17 to be able to address it.

18 JUDGE STEINBERG: Well, why couldn't the answer to  
19 45 have been yes and why couldn't he have attached the same  
20 explanation?

21 THE WITNESS: I don't know, sir.

22 JUDGE STEINBERG: Did you ever suggest that to  
23 him?

24 THE WITNESS: No, I did not.

25 JUDGE STEINBERG: Or ask him about that?

1 THE WITNESS: I did not. I went by what his  
2 recommendation was to me.

3 BY MR. EVANS:

4 Q Okay. Is there anything in Mr. Bankson's letters  
5 of October 10th or 12th that tells the Commission that  
6 Alee's license had been revoked?

7 A I don't know what the language means where it  
8 refers to the dockets and the United States Court of  
9 Appeals, etcetera, but there was something. It would appear  
10 to me that it's not a specific statement of revocation but  
11 it is explaining that there are legal issues surrounding it.

12 JUDGE STEINBERG: Well, it says here specifically,  
13 "The applicant has not had an opportunity to respond to  
14 question 45 of Main Form FCC Form 66601." Did Alee not have  
15 an opportunity to respond?

16 THE WITNESS: I don't know, sir.

17 JUDGE STEINBERG: Well --

18 THE WITNESS: Okay. This is --

19 (Multiple voices.)

20 JUDGE STEINBERG: -- did somebody make question 45  
21 disappear in some way --

22 THE WITNESS: NO.

23 JUDGE STEINBERG: -- before it was submitted?

24 THE WITNESS: Not that I'm aware *of*.

25 JUDGE STEINBERG: So Alee could have answered 45

1 if it wanted to, is that correct, to the best of your  
2 knowledge?

3 THE WITNESS: They probably could have answered it  
4 with either a yes or a no but if that was an incorrect  
5 answer because it's incomplete my understanding was the  
6 letter was necessary to be submitted with it.

7 JUDGE STEINBERG: Well, Alee had the opportunity  
8 to respond to question 45, didn't it? Let's limit it to  
9 that.

10 THE WITNESS: If the answer being a yes or a no is  
11 an appropriate answer then yes.

12 JUDGE STEINBERG: Okay. So you did --

13 (Multiple voices.)

14 THE WITNESS: If it's not an appropriate --

15 JUDGE STEINBERG: -- Alee did have the  
16 opportunity.

17 MR. HILL: Your Honor, I would like to object.  
18 I'm going to be bold and object --

19 JUDGE STEINBERG: No.

20 MR. HILL: -- to your line of questioning.

21 JUDGE STEINBERG: Be bold.

22 MR. EVANS: Well, wait. There's no question  
23 *pending*.

24 JUDGE STEINBERG: Well

25 MR. HILL: He has put a --

1 JUDGE STEINBERG: Yes.

2 MR. HILL: -- he has -- His Honor has put a  
3 question --

4 (Multiple voices.)

5 JUDGE STEINBERG: Yeah.

6 MR. HILL: -- to the witness. Did they have an  
7 opportunity? I'm not sure this witness is competent to  
8 testify as to what happened when this electronic submission  
9 was being entered into the ether, into cyberspace.

10 JUDGE STEINBERG: Well, I'm working with the  
11 document that's put in front of me.

12 MR. HILL: I know.

13 JUDGE STEINBERG: Which is No. 26 and I'm not  
14 concerned with all the -- concerned with 45.

15 MR. HILL: Okay.

16 JUDGE STEINBERG: And it says applicant has the  
17 letter from Mr. Bankson, both letters, saying, "Applicant  
18 has not had an opportunity to respond to question 45." My -  
19

20 MR. HILL: And I understand.

21 (Multiple voices.)

22 JUDGE STEINBERG: -- question is did 45 disappear  
23 from the computer screen?

24 MR. HILL: It may have and only the person --

25 (Multiple voices.)

1 JUDGE STEINBERG: This isn't testimony. This is -

2

3 MR. HILL: Only the --

4 JUDGE STEINBERG: -- argument.

5 MR. HILL: -- person that inputted this can give  
6 you that answer.

7 JUDGE STEINBERG: Well, maybe we need Mr. Bankson  
8 to explain --

9 MR. HILL: Yes.

10 JUDGE STEINBERG: -- his letter.

11 MR. HILL: I made a note here. Okay.

12 JUDGE STEINBERG: I mean I also want to know was  
13 there any reason at all why this paragraph doesn't refer to  
14 the Algereg case by the name of the Algereg case? I mean  
15 people -- everybody, not everybody, a lot of people knew the  
16 Algereg case by the name, not by CC Docket No. 91-142.

17 MR. HILL: Right.

18 JUDGE STEINBERG: I mean --

19 MR. HILL: Those are separate from the issue of  
20 this witness' competency to say -- to answer the question  
21 did they have an opportunity to respond to item 45?

22 JUDGE STEINBERG: Well, okay.

23 MR. HILL: I object to say that only the person  
24 that inputted that really knows the answer to that question.

25 JUDGE STEINBERG: Well, did anybody tell the



1 witness that there was any problem in inputting the data of  
2 the FCC Form 601 for New Mexico 3?

3 THE WITNESS: My only understanding is that an  
4 additional explanation had to be attached or had to be  
5 submitted to the FCC. That was --

6 JUDGE STEINBERG: Well, that's doesn't --

7 THE WITNESS: -- hat was what I was explaining.

8 (Multiple voices

9 JUDGE STEINBERG: -- answer the question.

10 THE WITNESS: Okay.

11 JUDGE STEINBERG: Did anybody inform you that  
12 there was any data input problem with respect to this --

13 THE WITNESS: I don't recall, sir.

14 JUDGE STEINBERG: Is that a yes or a no or -- I  
15 mean isn't that something you'd recall?

16 THE WITNESS: I don't --

17 JUDGE STEINBERG: It's a renewal application.

18 THE WITNESS: -- I don't recall the specifics as  
19 to 45. I recall receiving the document and looking at it  
20 for names, addresses and trying to understand it as best I  
21 could.

22 JUDGE STEINBERG: I'm still trying to get a yes or  
23 a no. Did anybody tell you that there was any data input  
24 problem with Alee's renewal application?

25 THE WITNESS: I don't recall that they had